

General Legal Activities

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* Refer to the General Legal Activities Components' Exhibits

I. Overview for General Legal Activities

The General Legal Activities (GLA) appropriation is requesting a total of 4,321 permanent positions, 4,132 workyears (and an additional 411 reimbursable workyears) and \$875,097,000. This resource level represents program improvements of 307 positions, 126 workyears and \$41,238,000. The FY 2010 request includes net adjustments-to-base (ATBs) of 1 workyear, and \$29,852,000. The ATB increases are requested to enable the appropriation to keep pace with inflation. The FY 2010 program improvement is outlined below. Specific details about individual programs are discussed in the General Legal Activities Components' Budgets.

Tax Division

Operation National Tax Defier: 18 positions (13 attorneys) and \$2.9 million to implement this initiative, which will investigate, and where appropriate, prosecute those who take action to defy the tax laws.

Criminal Division

Combating Financial Fraud & Protecting the Federal Fisc: 7 positions (5 attorneys) and \$1.8 million to fund a strategic response to the current financial crisis affecting the mortgage markets, credit markets, and banking system.

Improving Immigration & Southwest Border Enforcement: 1 attorney position and \$122,000 to target and prosecute violent crime and gangs along the Southwest Border.

Supplemental to Base Funding: 14 positions (9 attorneys) and \$2.5 million to continue activities such as those related to the Special Inspector General for Iraq Reconstruction and other procurement fraud related enforcement efforts that were previously funded through supplemental appropriations.

Civil Division

Combating Financial Fraud & Protecting the Federal Fisc: 118 positions (87 attorneys) and \$10 million (including \$5 million for automated litigation support services) to support this initiative through litigation involving fraud, contract claims, bankruptcy, and statutory challenges resulting from the Emergency Economic Stabilization Act of 2008 and the American Recovery and Reinvestment Act of 2009.

Immigration Litigation: 19 positions (15 attorneys) and \$1.8 million to ensure Office of Immigration Litigation's ability to continue its successful and unified defense of government immigration policy and enforcement in court.

Environment and Natural Resources Division

Tribal Trust Litigation: 10 positions (7 attorneys) and \$3.3 million to defend the U.S. in the high-profile, high-stakes Indian Tribal Trust litigation.

Protecting America’s Health by Cleaning Up the Nation’s Air and Water: 3 positions (2 attorneys) and \$.65 million to promote and expand the division’s civil environmental enforcement of the Clean Air Act and the Clean Water Act.

Vigorously Prosecuting Violations of the The Nation’s Environmental Laws: 1 attorney position and \$.25 million to build upon the success of its criminal environmental prosecution initiatives such as Worker Endangerment, Vessel Pollution, and illegal Timber Harvests.

Civil Rights Division

Restoration of Eroded CRT Program Funding Levels: 55 positions (29 attorneys) and \$6 million to strengthen civil rights enforcement efforts that have eroded over the past few years. The request would impact all programmatic areas within CRTS.

Human Trafficking: 20 positions (15 attorneys) and \$2.3 million to fight the ever-increasing demand in CRTS’ human trafficking program.

2010 Census Infrastructure: \$1.7 million to purchase technology hardware upgrades, engineering support, and data conversions requirements.

Civil Rights for Institutionalized Persons Act (CRIPA) Enforcement: \$1 million to fund a combination of specialized consultants to address CRT’s enforcement responsibilities associated with the CRIPA.

Project Civic Access: 12 positions (5 attorneys) and \$1.8 million to improve access to state and local government facilities for people with disabilities.

Enhance Fair Housing and Fair Lending Enforcement: 6 positions (5 attorneys) and \$1.3 million to improve CRT’s Fair Housing and Lending responsibilities.

Unsolved Civil Rights Era Crimes: 9 positions (6 attorneys) and \$1.6 million to support its newly created Cold Case Unit.

United States National Central Bureau (USNCB) – Interpol

Stolen and Lost Travel Document Program: 9 positions and \$.692 million to expand the stolen/lost travel documents (e.g., identity cards, passports and visas) program to prevent the illicit travel of international terrorists and criminals. The United States is a major contributor and the program and has expanded query access to all air and sea points of entry.

Information Sharing – Phase II: 2 positions and \$1.2 million to expand and continue technical requirements to serve as the central point of contact for all International criminal investigations through integrated access to INTERPOL systems, ensuring real-time access to law enforcement.

Project Vennlig: 3 positions and \$.228 million to expand sharing of terrorist information among INTERPOL member countries and the U.S. law enforcement community. Project Vennlig was initiated with the Department of Defense to obtain criminal information from captured or killed Iraq insurgents, their cell phones and held documents. The purpose of the initiative is to obtain and integrate collected information for the use of INTERPOL member countries and U.S. law enforcement agencies in proactively targeting terrorism.

Appropriation Language

New language proposed for FY 2010 is *italicized and underlined*, and FY 2009 language proposed for deletion is [bracketed].

General Legal Activities, Salaries and Expenses

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, [\$804,007,000] \$875,097,000, of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the total amount appropriated, not to exceed \$10,000 shall be available to the United States National Central Bureau, INTERPOL for official reception and representation expenses: *Provided further*, That notwithstanding section 205 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to “Salaries and Expenses, General Legal Activities” from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That of the amount appropriated, such sums as may be necessary shall be available to reimburse the Office of Personnel Management for salaries and expenses associated with the Federal observer program under section 8 of the Voting Rights Act of 1965 (42 U.S.C. 1973f): *Provided further*, That of the amounts provided under this heading for the [Federal observer] election monitoring program \$3,390,000 shall remain available until expended[, of which \$1,090,000, previously transferred to the Department of Justice by the Office of Personnel Management under section 126 of division A of Public law 110-329, shall be transferred back to the Office of Personnel Management by the Department of Justice].

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$7,833,000, to be appropriated from the Vaccine Injury Compensation Trust Fund. (Department of Justice Appropriations Act, 2009.) [For an additional amount for “Salaries and Expenses, General Legal Activities”, \$1,648,000, to remain available until September 30, 2009.] (Supplemental Appropriations Act, 2008.)

Analysis of Appropriation Language

A change in the language from Federal observer to election monitoring will provide for increased flexibility for the Civil Rights Division, pursuant to Section 8 of the Voting Rights Act and will enhance the Division’s ability to meet its election monitoring responsibilities. The language directing a funding transfer back to OPM is deleted because this transfer will not occur in 2010.

B: Summary of Requirements

Summary of Requirements
 General Legal Activities
 Salaries and Expenses
 (Dollars in Thousands)

	FY 2010 Request		
	Perm. Pos.	FTE	Amount
2008 Enacted (with Rescissions, direct only)	4,025	3,940	\$745,549
2008 Supplementals			1,648
Total 2008 Revised Continuing Appropriations Resolution (with Rescissions)	4,025	3,940	747,197
2009 Enacted (with Rescissions, direct only)	4,014	4,005	804,007
2009 Supplementals			
Total 2009 Enacted (with Rescissions and Supplementals)	4,014	4,005	804,007
Adjustments to Base			
Increases:			
2010 pay raise (2%)			9,296
2009 pay raise annualization (3.9%)			4,734
Annualization of 2009 positions (FTE)		1	0
Annualization of 2009 positions (dollars)			238
Retirement			459
Health Insurance			500
Employees Compensation Fund			15
GSA Rent			1,593
Moves (Lease Expiration)			9,423
DHS Security Charge			77
Guard Service Adjustment Leased Space			160
Postage			29
Security Investigations			45
Government Printing Office (GPO)			63
WCF Rate Increase			271
ICASS			1,562
Capital Security Cost Sharing (CSCS)			434
Government Leased Quarters (GLQ) Requirement			116
Post Allowance - Cost of Living Allowance (COLA)			3
Education Allowance			61
Interpol Dues			773
Subtotal Increases	0	1	29,852
Total Adjustments to Base	0	1	29,852
2010 Current Services	4,014	4,006	833,859
Program Changes			
Increases (See Program Narrative in each components' budget for details)	307	126	41,238
Subtotal Increases	307	126	41,238
Offsets			
Subtotal Offsets	0	0	0
Total Program Changes	307	126	41,238
2010 Total Request	4,321	4,132	875,097
2009 - 2010 Total Change	307	127	71,090

Summary of Requirements
General Legal Activities
Salaries and Expenses
(Dollars in Thousands)

	2008 Appropriation Enacted w/Rescissions and Supplementals			2009 Enacted			2010 Adjustments to Base and Technical Adjustments			2010 Current Services			2010 Increases			2010 Offsets			2010 Request		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Estimates by budget activity																					
Conduct of Supreme Court proceedings/review of app	48	49	\$9,883	48	49	\$10,440	0	0	\$369	48	49	\$10,809	0	0	\$0	0	0	\$0	48	49	\$10,809
General tax matters	634	573	92,781	621	573	101,016	0	0	1,952	621	573	102,968	18	9	2,909	0	0	0	639	582	105,877
Criminal matters	744	750	150,627	746	751	164,061	0	1	8,370	746	752	172,431	22	13	4,430	0	0	0	768	765	176,861
Claims, customs and general civil matters	1,338	1,253	250,114	1,338	1,313	270,431	0	0	5,567	1,338	1,313	275,998	137	37	11,760	0	0	0	1,475	1,350	287,758
Land, natural resources and Indian matters	445	495	99,365	445	499	103,093	0	0	2,492	445	499	105,585	14	8	4,200	0	0	0	459	507	109,785
Legal opinions	37	37	6,184	37	37	6,693	0	0	972	37	37	7,665	0	0	0	0	0	0	37	37	7,665
Civil rights matters	713	715	114,450	713	715	123,151	0	0	6,575	713	715	129,726	102	51	15,723	0	0	0	815	766	145,449
INTERPOL - U.S.National Central Bureau	63	65	23,252	63	65	24,548	0	0	3,327	63	65	27,875	14	8	2,216	0	0	0	77	73	30,091
Dispute Resolution	3	3	541	3	3	574	0	0	228	3	3	802	0	0	0	0	0	0	3	3	802
Total	4,025	3,940	747,197	4,014	4,005	804,007	0	1	29,852	4,014	4,006	833,859	307	126	41,238	0	0	0	4,321	4,132	875,097
Reimbursable FTE		371			386			(6)			380			31						411	
Total FTE		4,311			4,391			(5)			4,386			157			0			4,543	
Other FTE:																					
LEAP								0						0			0				
Overtime								0						0			0				
Total Comp. FTE		4,311			4,391			(5)			4,386			157			0			4,543	

F: Crosswalk of 2008 Availability

Crosswalk of 2008 Availability

General Legal Activities

Salaries and Expenses

(Dollars in Thousands)

Decision Unit	FY 2008 Enacted			Supplementals			Reprogrammings / Transfers			Reallocations			Carryover/ Recoveries			2008 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Conduct of Supreme Court proceedings																		
and review of appellate matters	48	49	\$9,883	0	0	\$0	0	0	\$0	0	0	\$0	0	0	\$0	48	49	\$9,883
General tax matters	634	573	92,781	0	0	0	0	0	0	0	0	(1)	0	0	3,275	634	573	96,055
Criminal matters	744	750	148,979	0	0	1,648	0	0	0	0	0	2,269	0	0	103	744	750	152,999
Claims, customs and general civil matters	1,338	1,253	250,114	0	0	0	0	0	(10,200)	0	0	3,701	0	0	2,380	1,338	1,253	245,995
Land, natural resources and Indian matters	445	495	99,365	0	0	0	0	0	139	0	0	0	0	0	0	445	495	99,504
Legal opinions	37	37	6,184	0	0	0	0	0	0	0	0	0	0	0	0	37	37	6,184
Civil rights matters	713	715	114,450	0	0	0	0	0	0	0	0	200	0	0	0	713	715	114,650
INTERPOL - U.S. National Central Bureau	63	65	23,252	0	0	0	0	0	(2,000)	0	0	0	0	0	4	63	65	21,256
Dispute Resolution	3	3	541	0	0	0	0	0	0	0	0	0	0	0	0	3	3	541
Legal activities office automation	0	0	0	0	0	0	0	0	0	0	0	0	0	0	59	0	0	59
Automated Litigation Support	0	0	0	0	0	0	0	0	10,661	0	0	(6,169)	0	0	2,018	0	0	6,510
TOTAL	4,025	3,940	\$745,549	0	0	\$1,648	0	0	(\$1,400)	0	0	\$0	0	0	\$7,839	4,025	3,940	\$753,636
Reimbursable FTE		371															371	
Total FTE		4,311			0			0			0			0			4,311	
Other FTE																		
LEAP																	0	
Overtime																	0	
Total Compensable FTE		4,311			0			0			0			0			4,311	

Supplementals.

CRM received \$1,648K in Global War on Terror (GWOT) funding in a 2008/2009 account.

Reprogrammings.

A reprogramming of \$4.2M from CIV to Antitrust was approved by Congress on May 14, 2008.

Transfers.

The transfers of \$6M (CIV) and \$2M (IPOL) reflect unobligated balances transferred to GLA's Automated Litigation Support (ALS) account as authorized by P.L. 110-161.

Funding of \$139K was transferred from ATR to ENRD for the prorated share of the tenant improvement allocation of the Patrick Henry Building.

The remaining increase of \$2.661M in GLA's ALS account reflects transfers of unobligated balances from GLA prior years' accounts.

Reallocations.

Funding of \$499K was reallocated from CIV to CRM (\$299K) and CRTS (\$200K).

Funding was distributed from GLA's ALS account to the components' ALS accounts.

Carryover.

Funding was carried over from FY 2007 from GLA's no-year account (\$7,550K) and GLA's VCRP no-year account (\$213K).

Recoveries.

In 2008, GLA's no-year account included recoveries of \$77K in the following accounts: TAX (\$71K), CRM (\$1K), CIV (\$1K), and IPOL (\$4K).

G: Crosswalk of 2009 Availability

Crosswalk of 2009 Availability
 General Legal Activities
 Salaries and Expenses
 (Dollars in Thousands)

Decision Unit	FY 2009 Enacted			Supplementals			Reprogrammings / Transfers			Reallocations			Carryover/ Recoveries			2009 Availability		
	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount	Pos.	FTE	Amount
Conduct of Supreme Court proceedings and review of appellate matters	48	49	\$10,440	0	0	\$0	0	0	\$0	0	0	\$0	0	0	\$0	48	49	10,440
General tax matters	621	573	101,016	0	0	0	0	0	0	0	0	0	0	0	2,729	621	573	103,745
Criminal matters	746	751	164,061	0	0	0	0	0	0	0	0	0	0	1,460	746	751	165,521	
Claims, customs and general civil matters	1,338	1,313	270,431	0	0	0	0	0	0	0	0	0	0	382	1,338	1,313	270,813	
Land, natural resources and Indian matters	445	499	103,093	0	0	0	0	0	0	0	0	0	0	0	445	499	103,093	
Legal opinions	37	37	6,693	0	0	0	0	0	0	0	0	0	0	0	37	37	6,693	
Civil rights matters	713	715	123,151	0	0	0	0	0	0	0	0	0	0	0	713	715	123,151	
INTERPOL - U.S. National Central Bureau	63	65	24,548	0	0	0	0	0	0	0	0	0	0	4	63	65	24,552	
Dispute Resolution	3	3	574	0	0	0	0	0	0	0	0	0	0	0	3	3	574	
Legal activities office automation	0	0	0	0	0	0	0	0	0	0	0	0	0	60	0	0	60	
Automated Litigation Support	0	0	0	0	0	0	0	0	0	0	0	0	0	6,510	0	0	6,510	
TOTAL	4,014	4,005	\$804,007	0	0	\$0	0	0	\$0	0	0	\$0	0	\$11,145	4,014	4,005	\$815,152	
Reimbursable FTE		386															386	
Total FTE		4,391			0			0			0			0			4,391	
Other FTE																		
LEAP																	0	
Overtime																	0	
Total Compensable FTE		4,391			0			0			0			0			4,391	

Unobligated Balances.

Funds were carried over into FY 2009 from the GLA's 2008 no-year account (\$9,574K) and GLA's VCRP no-year account (\$214K).

I: Detail of Permanent Positions by Category

Detail of Permanent Positions by Category

General Legal Activities
Salaries & Expenses

Category	2008 Enacted w/ Supplementals		2009 Enacted		ATBs	2010 Request				
	Total Authorized	Total Reimbursable	Total Authorized	Total Reimbursable		Program Increases	Program Decreases	Total Pr. Changes	Total Authorized	Total Reimbursable
Social Sciences, Econ and Kindred (100-199)	33	0	34	0	0	0	0	0	34	0
Personnel Management (200-299)	0	0	0	0	0	0	0	0	0	0
Clerical and Office Services (300-399)	857	95	851	99	0	37	0	37	888	99
Accounting and Budget (500-599)	32	10	33	10	0	1	0	1	34	10
Attorneys (905)	2,451	179	2,448	189	0	200	0	200	2,648	214
Paralegals / Other Law (900-998)	511	43	515	42	0	41	0	41	556	42
Information & Arts (1000-1099)	8	1	7	1	0	0	0	0	7	1
Business & Industry (1100-1199)	8	0	7	0	0	0	0	0	7	0
Library (1400-1499)	0	0	0	0	0	0	0	0	0	0
Equipment/Facilities Services (1600-1699)	0	0	0	0	0	0	0	0	0	0
Miscellaneous Inspectors Series (1802)	0	0	0	0	0	0	0	0	0	0
Criminal Investigative Series (1811)	0	0	0	0	0	0	0	0	0	0
Supply Services (2000-2099)	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Operations (5703)	0	0	0	0	0	0	0	0	0	0
Information Technology Mgmt (2210)	51	1	50	1	0	2	0	2	52	1
Security Specialists (080)	0	0	0	0	0	0	0	0	0	0
Other	74	3	69	3	0	26	0	26	95	3
Total	4,025	332	4,014	345	0	307	0	307	4,321	370
Headquarters (Washington, D.C.)	3,912	255	3,903	260	0	306	0	306	4,209	265
U.S. Field	99	22	97	22	0	1	0	1	98	21
Foreign Field	14	55	14	63	0	0	0	0	14	84
Total	4,025	332	4,014	345	0	307	0	307	4,321	370

K: Summary of Requirements by Grade

Summary of Requirements by Grade

General Legal Activities
Salaries & Expenses

Grades and Salary Ranges	2008 Enacted w/ Supplementals		2009 Enacted		2010 Request		Increase/Decrease	
	Pos.	Amount	Pos.	Amount	Pos.	Amount	Pos.	Amount
SES, \$117,787 - \$177,000	153		154		154		0	
GS-15, \$120,830 - 153,200	1,849		1,841		1,856		15	
GS-14, \$102,721 - 133,543	414		391		578		187	
GS-13, \$86,927 - 113,007	346		348		357		9	
GS-12, \$73,100 - 95,026	228		229		260		31	
GS-11, \$60,988 - 79,280	318		321		329		8	
GS-10, \$55,512 - 72,164	34		30		30		0	
GS-9, \$50,408 - 65,531	224		231		263		32	
GS-8, \$45,639 - 59,333	132		132		134		2	
GS-7, \$41,210 - 55,574	219		223		246		23	
GS-6, \$37,084 - 48,207	30		31		31		0	
GS-5, \$33,269 - 43,251	44		49		49		0	
GS-4, \$29,736 - 38,655	22		22		22		0	
GS-3, \$26,487 - 34,431	9		9		9		0	
GS-2, \$24,277 - 30,547	3		3		3		0	
Total, appropriated positions	4,025		4,014		4,321		307	
Average SES Salary		\$159,915		\$166,152		\$169,475		
Average GS Salary		\$107,221		\$111,403		\$113,631		
Average GS Grade		12.35		12.39		11.51		

L: Summary of Requirements by Object Class

Summary of Requirements by Object Class

General Legal Activities

Salaries and Expenses

(Dollars in Thousands)

Object Classes	2008 Actuals		2009 Enacted		2010 Request		Increase/Decrease	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
11.1 Direct FTE & personnel compensation	3,318	339,715	3,657	390,614	3,785	416,132	128	25,518
11.3 Other than full-time permanent	376	37,678	348	30,249	347	31,087	(1)	838
11.5 Total, Other personnel compensation	12	6,993	12	7,534	12	7,742	0	208
11.8 Special personal services payments	0	553	0	350	0	353	0	3
Total	3,706	384,939	4,017	428,747	4,144	455,314	127	26,567
Other Object Classes:								
12.0 Personnel benefits		94,948		106,769		113,473		6,704
13.0 Benefits to former personnel		302		330		344		14
21.0 Travel and transportation of persons		20,111		22,440		23,973		1,533
22.0 Transportation of things		3,813		3,784		3,908		124
23.1 GSA rent		91,143		99,046		101,571		2,525
23.2 Moving/Lease Expirations/Contract Parking		2,417		4,343		12,230		7,887
23.3 Comm., util., & other misc. charges		7,920		11,483		11,824		341
24.0 Printing and reproduction		2,676		3,118		3,274		156
25.1 Advisory and assistance services		10,070		9,214		11,872		2,658
25.2 Other services		74,422		78,885		84,398		5,513
25.3 Purchases of goods & services from Government accounts (Antennas, DHS Sec. Etc.)		21,920		22,882		23,815		933
25.4 Operation and maintenance of facilities		1,148		216		225		9
25.5 Research and Development Contracts		0		83		83		0
25.6 Medical Care		311		177		183		6
25.7 Operation and maintenance of equipment		1,511		1,172		1,075		(97)
26.0 Supplies and materials		4,760		4,912		5,238		326
31.0 Equipment		7,237		4,759		7,868		3,109
32.0 Land and Structures		11		0		864		864
41.0 Grants, Subsidies & Contributions		8,826		12,792		13,565		773
42.0 Insurance Claims and Indemnities		13		0		0		0
Total obligations		\$738,498		\$815,152		\$875,097		\$59,945
Unobligated balance, start of year		(7,762)		(11,145)				
Transfers to other accounts		4,200						
Transfers from other accounts		(2,800)						
Unobligated balance expiring		3,993						
Unobligated balance, end of year		11,145						
Recoveries of prior year obligations		(77)						
Total DIRECT requirements		747,197		804,007		875,097		59,945
Reimbursable FTE:								
Full-time permanent	371							
23.1 GSA rent (Reimbursable)		7,641		7,298		6,431		(867)
25.3 DHS Security (Reimbursable)		102		109		111		2

The increase/decrease column is \$11,145K less than the total 2010 increase of \$71,090K due to carryover funding of \$11,145K being obligated in FY 2009.